

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHARLES D. WHEAT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:06CV00874 ERW
)	
CAMERON DANIEL, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter comes before the Court on two letters sent by Charles Wheat ("Plaintiff") to the Clerk of the Court. Plaintiff was served with interrogatories and instructed that he must respond to those interrogatories within twenty days. Fed. R. Civ. P. 33 provides parties with thirty (30) days in which to answer or object to interrogatories, and Plaintiff asks the Court if he must respond within this shortened time period.

In the hearing held on January 31, 2008, the Court instructed the Government to serve Plaintiff with interrogatories seeking to determine specifically what false statement Plaintiff claims misled the Parole Board. The Court ordered that Plaintiff would have twenty days to respond. The Court will construe Plaintiff's letters as a request for additional time to answer these interrogatories, and Plaintiff has until March 28, 2008, to respond to the Government's interrogatories.

Additionally, at the January 31, 2008 hearing, the Court ordered that the following items be submitted to the Court:

- The Government must submit psychiatric reports from 1969, 1976 and 1986 so that the Court may make an *in camera* review of these documents to determine if

they are relevant, and will release these reports to Plaintiff only if they are relevant to Plaintiff's claim.

- The Government must submit copies of the interrogatories Plaintiff sent to Defendant Cameron Daniel, along with their objections to those interrogatories, so that the Court may rule on the objections.

It is now over a month after this hearing was held, and these documents have yet to be submitted to the Court. The Court understands that the psychiatric reports may have been archived and may be difficult to locate. However, it is in the interest of the parties and the Court that this case move more expeditiously. Accordingly, the Court orders that these documents be submitted to the Court by March 28, 2008, or the Government must show good cause for their failure to submit these documents for the Court's review.


IT IS HEREBY ORDERED that Plaintiff must respond to Defendant's interrogatories by **March 28, 2008.**

IT IS FURTHER ORDERED that the Government must submit the psychiatric reports, interrogatories, and their objections to these interrogatories by **March 28, 2008.**

IT IS FURTHER ORDERED that upon review of the record, the Court finds that Plaintiff has failed to file a Response to the Motion to Dismiss [doc. #143] filed by Defendant Robin Thorne on February 8, 2008. Plaintiff shall show cause, no later than **March 28, 2008,** why Defendant Thorne's Motion should not be granted.

IT IS FURTHER ORDERED that Plaintiff's Motion for Appointment of Counsel [doc. #147] is DENIED, at this time, with leave to refile at a later date.

Dated this 7th Day of March, 2008.


E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE